

United States District Court, Northern District of Illinois

Name of Assigned Judge or Magistrate Judge	James B. Moran	Sitting Judge if Other than Assigned Judge	
CASE NUMBER	01 C 6126	DATE	11/27/2001
CASE TITLE	Ann Weaver vs. Indiana Harbor Belt RR Co.		

[In the following box (a) indicate the party filing the motion, e.g., plaintiff, defendant, 3rd party plaintiff, and (b) state briefly the nature of the motion being presented.]


MOTION:

Memorandum Opinion and Order

DOCKET ENTRY:

- (1) ☐ Filed motion of [ use listing in "Motion" box above.]
- (2) ☐ Brief in support of motion due \_\_\_\_\_.
- (3) ☐ Answer brief to motion due \_\_\_\_\_. Reply to answer brief due \_\_\_\_\_.
- (4) ☐ Ruling/Hearing on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (5) ☐ Status hearing[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (6) ☐ Pretrial conference[held/continued to] [set for/re-set for] on \_\_\_\_\_ set for \_\_\_\_\_ at \_\_\_\_\_.
- (7) ☐ Trial[set for/re-set for] on \_\_\_\_\_ at \_\_\_\_\_.
- (8) ☐ [Bench/Jury trial] [Hearing] held/continued to \_\_\_\_\_ at \_\_\_\_\_.
- (9) ☐ This case is dismissed [with/without] prejudice and without costs[by/agreement/pursuant to]  
☐ FRCP4(m) ☐ General Rule 21 ☐ FRCP41(a)(1) ☐ FRCP41(a)(2).
- (10) ☒ [Other docket entry] Enter Memorandum Opinion and Order. Defendant moves for transfer of the action to the Northern District of Indiana, pursuant to 28 U.S.C. Section 1404(a). That motion is granted.

- (11) ☒ [For further detail see order attached to the original minute order.]

<input type="checkbox"/> No notices required, advised in open court. <input type="checkbox"/> No notices required. <input type="checkbox"/> Notices mailed by judge's staff. <input type="checkbox"/> Notified counsel by telephone. <input checked="" type="checkbox"/> Docketing to mail notices. <input checked="" type="checkbox"/> Mail AO 450 form. <input type="checkbox"/> Copy to judge/magistrate judge.	courtroom deputy's initials  WAH	NOV 27 PM 4:30 DOCKETING	number of notices	Document Number  
			NOV 29 2001	
			date docketed	
			docketing deputy initials	
			date mailed notice	
		Date/time received in central Clerk's Office	mailing deputy initials	

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF ILLINOIS  
EASTERN DIVISION

ANN WEAVER,

Plaintiff,

vs.

INDIANA HARBOR BELT  
RAILROAD COMPANY,

Defendant.

No. 01 C 6126

**DOCKETED**  
NOV 29 2001

MEMORANDUM OPINION AND ORDER


Plaintiff, a resident of Indiana, brings this FELA action against her Indiana employer for injuries sustained in Indiana. Defendant moves for transfer of the action to the Northern District of Indiana, pursuant to 28 U.S.C. §1404(a). That motion is granted.

The courthouse in Hammond is not far from Chicago and virtually all the potential witnesses are within the subpoena range of Fed.R.Civ.P. 45. Thus litigation here would not be excessively inconvenient. But this case has no ties to Illinois other than plaintiff's counsel (and that does not count) and a couple of doctors designated by the defendant, and they live closer to Hammond than to downtown Chicago. All the other witnesses, except for one who now resides in Florida, live in Indiana, and almost all of them reside or work east of Hammond and would have to come through Hammond on the way to Chicago. Further, a potential third party defendant is located in Indiana.

My colleagues have on various occasions transferred similar cases to the Northern District of Indiana. See Albin v. Indiana Harbor Belt Railroad Company, 96 C 5361 (Judge James Alesia); Gasda v. Indiana Harbor Belt Railroad Co., 1999 WL 592098 (N.D. Ill.) (Judge Rebecca R. Pallmeyer); Certa v. Indiana Harbor Belt Railroad, Memorandum Opinion and

Order, 98 C 3595 (Judge Joan Gottschall); Brill v. Indiana Harbor Belt Railroad, 98 C 3568 (Judge Charles Norgle); Smith v. IHB, 97 C 1841 (Judge David Coar); Cosme v. Indiana Harbor Belt Railroad, 98 C 2525 (Judge James F. Holderman); and Diaz v. Indiana Harbor Belt Railroad, 99 C 2247 (Judge George W. Lindberg). There may well be a feeling that filing Indiana-based cases here has an element of forum shopping. In any event, litigating in Hammond is more convenient for everyone, parties and witnesses; and the interest of justice, given Indiana's interest and Illinois' lack of interest in this controversy, also supports transfer.

Nov. 27, 2001.

  
JAMES B. MORAN  
Senior Judge, U. S. District Court